

Art Unit: 1644

DETAILED ACTION

1. Applicant's amendment, filed 6/9/08, is acknowledged.

EXAMINER'S AMENDMENT

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

3. Authorization for this Examiner's Amendment was given in a telephone interview with Anthony C. Tridico on September 10, 2008.

In the Claims:

4. In claims 156-160, the phrase --, wherein said polypeptide is not amino acids 1 to 1188 of SEQ ID NO:2 or amino acids 23 to 1188 of SEQ ID NO:2-- has been inserted after "SEQ ID NO:2".

5. In claims 157-158, the phrase "according to claim 156" has been deleted. Further, the phrase "wherein the fragment comprises" has been replaced with -- wherein the fragment consists of --.

REASONS FOR ALLOWANCE

6. The following is an Examiner's Statement of Reasons for Allowance:

The Examiner's Amendment set forth supra, in conjunction with Applicant's amendment filed, 6/9/2008, has obviated the previous rejections of record in mailed 4/10/2008.

7. The WO 00/29435 listed on the PTO-892 does not qualify as a prior art under 35 U.S.C. 102(a)/(e) because the WO 00/29435 was published on May 25, 2000 (does not qualify as art under 102(e)) and the Sweden 9902056-2, filed 6/3/1999, provides sufficient support for the claimed invention.

8. Claims 156-162 are pending and allowed.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1644

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maher Haddad whose telephone number is (571) 272-0845. The examiner can normally be reached Monday through Friday from 7:30 am to 4:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen B. O'Hara can be reached on (571) 272-0878. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 10, 2008

/Maher M. Haddad/
Maher Haddad, Ph.D.
Primary Examiner
Technology Center 1600